

Entered - 08-01-01 - sb
CL 01L0490 - GWENDOLYN BURNS

CLAIM OF: **BARBARA D. TURNER**
LEONARD E. TURNER
4621 Fernbank Drive
Atlanta, Georgia 30331

01- R-1546


ADOPTED BY
OCT 01 2001
COUNCIL

For vehicular damages alleged to have been sustained as a result of an deteriorated defective sewer storm drain in the roadway on June 20, 2001 at 4040 Sawtell Road, SW.


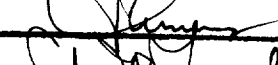
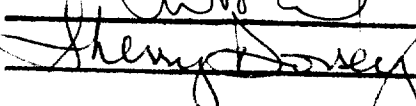
BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **BARBARA D. TURNER** and **LEONARD E. TURNER** the sum of **\$616.03** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an deteriorated defective sewer storm drain in the roadway on June 20, 2001 at 4040 Sawtell Road, SW is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED:
SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

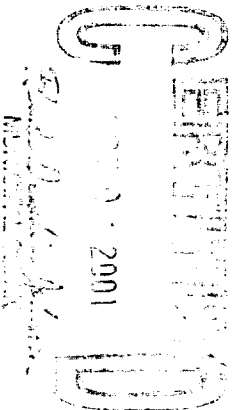
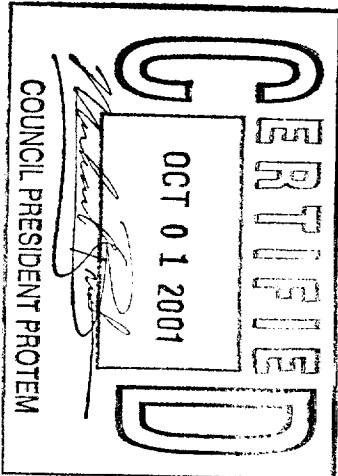
FAVORABLE REPORT
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE
DATE: **SEP 25 2001**

CHAIR: 



APPROVED

OCT 10 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1546

A RESOLUTION

BY: PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **BARBARA D. TURNER** and **LEONARD E. TURNER** the sum of **\$616.03** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an deteriorated defective sewer storm drain in the roadway on June 20, 2001 at 4040 Sawtell Road, SW, is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, OMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

OCT 01, 2001

OCT 10, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0490

Date: September 14, 2001

Claimant /Victim BARBARA D. TURNER and LEONARD E. TURNER
BY: (Atty) (Ins. Co.) _____
Address: 4621 Fernbank Drive, SW, Atlanta, Georgia 30331
Subrogation: _____ Claim for Property damage \$ 616.03 Bodily Injury \$ _____
Date of Notice: 7/30/01 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 6/20/01 Place: 4040 Sawtell Road, SW
Department PUBLIC WORKS Division _____ Sewer Operations _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimants' vehicle sustained damage when it was driven over a deteriorated and defective sewer storm drain located in the roadway. An investigation determined that the defective storm drain had been in an unsafe condition for some time and the City failed to repair it.


INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

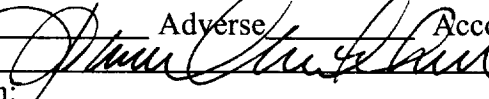
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 616.03 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____
Claims Manager:  Concur/date 01-14-01
Committee Action: _____ Council Action _____

RCS# 3142
10/01/01
1:54 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 14

ADOPT

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Wooldard	B Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-1018

CONSENT

10/01/01 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 01-O-1570
2. 01-O-1571
3. 01-O-1354
4. 01-O-1488
5. 01-O-1335
6. 01-O-1336
7. 01-O-1337
8. 01-O-1342
9. 01-O-1343
10. 01-O-1344
11. 01-O-1345
12. 01-O-1346
13. 01-O-1119
14. 01-O-1351
15. 01-O-1572
16. 01-R-1588
17. 01-R-1273
18. 01-R-1276
19. 01-R-1428
20. 01-R-1456
21. 01-R-1471
22. 01-R-1499
23. 01-R-1580
24. 01-R-1581
25. 01-R-0921
26. 01-R-1561
27. 01-R-1584
28. 01-R-1521
29. 01-R-1522
30. 01-R-1523
31. 01-R-1524
32. 01-R-1525
33. 01-R-1526
34. 01-R-1527
35. 01-R-1528
36. 01-R-1545
37. 01-R-1546
38. 01-R-1547

**ITEMS ADVERSED
ON CONSENT AGENDA**

39. 01-R-1529
 40. 01-R-1530
 41. 01-R-1531
 42. 01-R-1532
 43. 01-R-1533
 44. 01-R-1534
 45. 01-R-1535
 46. 01-R-1536
 47. 01-R-1537
 48. 01-R-1538
 49. 01-R-1539
 50. 01-R-1540
 51. 01-R-1541
 52. 01-R-1542
 53. 01-R-1543
 54. 01-R-1544
 55. 01-R-1548
 56. 01-R-1549
 57. 01-R-1550
 58. 01-R-1551
 59. 01-R-1552
 60. 01-R-1553
 61. 01-R-1554
 62. 01-R-1555
 63. 01-R-1556
 64. 01-R-1557
 65. 01-R-1558
 66. 01-R-1559
 67. 01-R-1560
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